

AMENDED IN SENATE JULY 10, 2003

AMENDED IN SENATE JUNE 17, 2003

AMENDED IN ASSEMBLY MAY 5, 2003

AMENDED IN ASSEMBLY MARCH 26, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 945

Introduced by Assembly Member Nunez
(Coauthor: Senator Romero)

February 20, 2003

An act to add Section 207.6 to the Welfare and Institutions Code, relating to minors.

LEGISLATIVE COUNSEL'S DIGEST

AB 945, as amended, Nunez. Detention of minors in adult facilities.

Existing law permits the detention of minors in jails and other secure facilities for the confinement of adults if certain conditions are met, including that the juvenile court or court of criminal jurisdiction makes a finding that the minor's further detention in the juvenile hall would endanger the safety of the public or would be detrimental to the other minors in the juvenile hall.

Existing law also authorizes the juvenile court to order that certain minors who have committed specified serious or violent offenses and who have been declared to be not a fit and proper subject to be dealt with under juvenile law, or whose cases have been filed directly in or

transferred to a court of criminal jurisdiction, be delivered to the custody of the sheriff, upon making a specified finding.

This bill would permit a minor to be detained in a jail or other secure facility for the confinement of adults pursuant to those provisions only if the court makes its findings on the record, and, in addition, finds that the minor poses a danger to the staff, other minors in the juvenile hall facility, or to the public, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 207.6 is added to the Welfare and
2 Institutions Code, to read:

3 207.6. A minor may be detained in a jail or other secure
4 facility for the confinement of adults pursuant to subdivision (b)
5 of Section 207.1 or paragraph (1) of subdivision (b) of Section
6 707.1 only if the court makes its findings on the record and, in
7 addition, finds that the *minor poses a danger to the staff, other*
8 *minors in the juvenile facility, or to the public because of the*
9 *minor's failure to respond to the disciplinary control of the*
10 ~~juvenile facility poses a danger to the staff, other minors in the~~
11 ~~juvenile facility, or to the public. juvenile facility, or because the~~
12 *nature of the danger posed by the minor cannot safely be managed*
13 *by the disciplinary procedures of the juvenile facility.*

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15 CORRECTIONS

16 Text — Page 2.

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